

SPARACINO
PLLC

1920 L Street, N.W., Suite 535
Washington, D.C. 20036
(202) 629-3530

April 16, 2019

By FOIA Online Portal

Regional Freedom of Information Officer
U.S. EPA, Region 9
75 Hawthorne Street (OPA-2)
San Francisco, CA 94105

Freedom of Information Act Request

Dear FOIA Officer:

This is a request for records, pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §§ 552, *et seq.* Specifically, this request is for copies of:

- (1) All communications¹ between, and records related to communications between, the U.S. Environmental Protection Agency (“EPA”)² and any entity or individual listed in Exhibit A.
- (2) All external communications between, and records related to external communications between, EPA and any person, organization, company, or state or federal agency *not within EPA*, related to the use, government oversight, or regulation of Hydrogen Fluoride, Modified Hydrogen Fluoride, or Sulfuric Acid by petroleum refinery operations operating in California.

The relevant time period for this request is: **December 1, 2014, through the present.**

Please prioritize searches, review, and production of documents responsive to Category (1) above.

This request includes, and we ask that you search, all hard copy files created, revised, controlled or owned by EPA, and all official email accounts and communications devices (*i.e.*, phones, tablets, computers, etc.) assigned to or used by EPA Board members, employees and staff. This request specifically includes attachments to any responsive records. Please search for responsive records regardless of format, medium, or physical characteristics; do not limit your search to electronic documents.

For any responsive records, or portions of records, you deem covered by any applicable exemption, 5 U.S.C. § 552(b) details the appropriate process:

- “Any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt under this subsection.”

¹ For the purposes of all requests herein, “communications” includes electronic mail messages (emails), text messages, encrypted messages, instant messages, social media messages (Twitter direct messages, Facebook Messenger messages, etc.), faxes, phone calls, voicemails, call logs, letters, or any communication in any other form or format.

² For the purposes of all requests herein, “EPA” includes the EPA Administrator and all Offices, Programs, Research Programs, Laboratories, Advisory Organizations, employees and staff of the U.S. Environmental Protection Agency.

EPA Regional FOIA Officer
April 16, 2019

- “The amount of information deleted, and the exemption under which the deletion is made, shall be indicated on the released portion of the record, unless including that indication would harm an interest protected by the exemption in this subsection under which the deletion is made.”
- “If technically feasible, the amount of the information deleted, and the exemption under which the deletion is made, shall be indicated at the place in the record where such deletion is made.”

We are willing to pay fees for this request up to a maximum of **\$500**. If the fees for this request exceed that amount, please inform me first.

Thank you for your assistance with this request. You can contact me at (202) 590-0530 with any questions. Please email responsive documents, or a link for electronic delivery, to me at patrick.mcmullen@sparacinopluc.com. If you cannot provide responsive documents electronically, please contact me to arrange delivery.

Sincerely,

Patrick McMullen

Exhibit A³

350.org

Ban Toxic MHF

California Resources Corporation

Chevron

Communities for a Better Environment (“CBE”)

Earthjustice

ExxonMobil

Families Lobbying Against Refinery Exposures (“FLARE”)

Honeywell UOP (or UOP LLC)

Liberty Hill Foundation (“LHF”)

Marathon Petroleum Corporation

PBF Energy

Shell

Sierra Club

Torrance Refinery Action Alliance (“TRAA”) or any email account using the URL <https://www.traasouthbay.com/>

Valero Energy Corporation

Any of the following individuals: Cathy Clay, Charles Clendening, James Eninger, Nahum Get, David Hannum, George Harpole, Sally Hayati, Mara Lang, Catherine Leys, Maureen Mauk, Ginger Pigott, James Pigott, Bill Reynolds, Judith Scott, Christopher Shih, Constance Sullivan, or Tom Steyer.

³ For purposes of this request, each entity listed in Exhibit A includes all of the entity’s members, employees, or representatives.